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7/5/19UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
JUL 05 2019
CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

UNITED STATES OF AMERICA,

) Magistrate Docket No.

Plaintiff,

) '19 MJ 2789

v.

) COMPLAINT FOR VIOLATION OF:) Title 8, USC 1324(a)(1)(A)(ii)
) Transportation of Certain Aliens for
) Financial GainByron Darnell LAW II,
David Javier SALAZAR-Quintero,

Defendants.)

The undersigned complainant being, duly sworn, states:

On or about July 03, 2019, within the Southern District of California, defendant Byron Darnell LAW II and David Javier SALAZAR-Quintero, with the intent to violate the immigration laws of the United States, knowing or in reckless disregard of the fact that certain aliens, namely, Samuel ADAME-Saldana, Sandra AVENDANO-Miguel, and Virginio Roberto AVENDANO-Rosales, had come to, entered and remained in the United States in violation of law, did knowingly transport and move, said aliens within the United States in furtherance of such violation of law, and which was done for the purpose of commercial advantage or private financial gain; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT

Paul J. Clouthier

Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE,

THIS 5th DAY OF July, 2019.

Michael G. Berg
United States Magistrate Judge

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CONTINUATION OF COMPLAINT:

**Byron Darnell LAW II,
David Javier SALAZAR-Quintero**

PROBABLE CAUSE STATEMENT

The complainant states that Samuel ADAME-Saldana, Sandra AVENDANO-Miguel, and Virgino Roberto AVENDANO-Rosales, are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On July 3, 2019, Border Patrol Agents C. Anderson, and E. Pepe, were conducting assigned duties in the Boulevard Border Patrol Station's area of responsibility. At approximately 10:00 AM, Agent Anderson was on foot checking layup spots along Interstate 8 near while other agents were tracking footprints of suspected illegal aliens south of his position. Agent Anderson noticed a small black car pull over onto a dirt turnaround from Interstate 8. Agent Anderson believed this could be a vehicle looking to pick up the suspected illegal aliens he was searching for. Agent Anderson attempted to get a better look at the vehicle, but before he could get in position the vehicle pulled back on to Interstate 8. Agent Anderson went to the spot where he had seen the vehicle and noticed fresh footprints leading to where the vehicle was momentarily parked. Agent Anderson relayed this information to other Agents in the area.

Agent E. Pepe spotted a black vehicle which matched the description that Agent Anderson had relayed. Agent Pepe activated his emergency equipment in order to pull the vehicle over and the vehicle yielded. This area is located approximately seven miles north of the United States/Mexico International Border, and approximately 20 miles east of the Tecate, California Port of Entry. Agent Pepe approached the vehicle, identified himself as a Border Patrol agent and conducted an immigration inspection on the five individuals in the vehicle.

The driver, later identified as defendant Byron Darnell LAW II, and the front passenger, later identified as defendant David Javier SALAZAR-Quintero, stated to be United States citizens. All three back seat passengers, later identified as material witness Samuel ADAME-Saldana, Sandra AVENDANO-Miguel, and Virgino Roberto AVENDANO-Rosales, stated they are citizens of Mexico without any immigration documents that would allow them to enter or remain in the United States legally. At approximately 10:17 AM, Agent Pepe placed all five subjects under arrest.

LAW was advised of his Miranda Rights. LAW stated he understood his rights and was willing to answer questions without an attorney present. LAW stated that he is currently an active duty

CONTINUATION OF COMPLAINT:

**Byron Darnell LAW II,
David Javier SALAZAR-Quintero**

Marine stationed out of the Marine Corps Base Camp Pendleton. LAW claimed that co-passenger, David Javier SALAZAR-Quintero, was the individual responsible for organizing the event. LAW stated that last night, SALAZAR called and asked him if he was willing to make \$1000.00 USD picking up an illegal alien. On July 2, 2019, at approximately 10:30 PM, LAW and SALAZAR traveled to Jacumba, California and were being guided via cell phone instructions from an unknown Mexico number.

LAW stated that SALAZAR was the one on the cell phone receiving directions from the south side spotter due to being proficient in the Spanish language. LAW stated they picked up a single illegal alien at the Jacumba Exit on the eastbound lanes of Interstate 8 and transported him to a McDonald's parking lot in Del Mar. They met with an individual who arrived in a blue Nissan Murano. LAW claimed they were never paid for the event and traveled back to base after the exchange.

On today's date, at approximately 9:00 AM, LAW stated that SALAZAR again called him for another job, this time guaranteeing they would get paid for today's and last night's event in cash. As they passed up the Jacumba Hot Springs exit, they were instructed to turn around at the nearest emergency turnaround along the median on Interstate 8. As they continued traveling on I-8, now westbound, they were instructed to pull over at the Jacumba Hot Springs next exit sign. Within a few seconds, LAW stated that three illegal aliens emerged from the northern shoulder of I-8 and enter his vehicle.

SALAZAR was advised of his Miranda Rights. SALAZAR stated he understood his rights and was willing to answer questions without an attorney present. SALAZAR stated he was originally introduced to smuggling by Byron Darnel Law II (Co-Principal) who introduced him to a man that recruited him. SALAZAR stated that the recruiter drives an older blue Nissan Rogue. SALAZAR stated he has met with the recruiter on several different occasions. Rojas stated they have met at the Between the Sheets Plaza in Solano Beach (actual location is Del Mar, CA) and at an apartment complex where the recruiter resides.

SALAZAR admitted to coming to Jacumba to pick up on four different occasions. SALAZAR stated that the first time he did not pick anyone up and was told to return. The second occasion he picked up at the "Jacumba 1 Mile." SALAZAR brought his 2017 Toyota Corolla for that event. SALAZAR stated he was going to be paid \$500 but hasn't been paid. SALAZAR stated he came last night, July 2, 2019. SALAZAR was with Law II in a black BMW. SALAZAR admitted to picking up three illegal aliens and took them to Solano Beach, CA.

CONTINUATION OF COMPLAINT:

**Byron Darnell LAW II,
David Javier SALAZAR-Quintero**

Material witnesses Samuel ADAME-Saldana, Virginio Roberto AVENDANDO-Rosales, Sandra AVENDANO-Miguel were interviewed, all admitted to making smuggling arrangements. All material witnesses stated they were picked up by a black car and that they were instructed via cell phone to get into the car. They also stated the passenger opened the door for them. AVENDANO-Rosales and AVENDANO-Miguel stated they were going to pay \$8,000 USD, to be smuggled into the United States. With destinations to New Jersey and Los Angeles. All three material witnesses were presented with a photographic lineup and were able to identify the driver as Byron LAW II.